

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION**

ERNEST RANDAL COMEAUX

CIVIL ACTION NO. 06-367-P

VERSUS

JUDGE S. MAURICE HICKS, JR.

RICHARD STALDER, ET AL.

MAGISTRATE JUDGE HORNSBY

**ORDER**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, including written objections filed by the Plaintiff, and determining that the findings are correct under the applicable law;

**IT IS ORDERED** that Plaintiff's claims regarding the disciplinary proceedings, retaliation, conditions of confinement, property loss, the administrative remedy procedure and classification are **DISMISSED WITH PREJUDICE** as frivolous under 28 U.S.C. § 1915(e).

**IT IS FURTHER ORDERED** that Plaintiff's Heck claim is **DISMISSED WITH PREJUDICE** as frivolous under 28 U.S.C. § 1915(e) until such time as the Heck conditions are met.

Plaintiff's equal protection claim regarding the honor program remains.

**THUS DONE AND SIGNED**, in chambers, in Shreveport, Louisiana, on this 24<sup>th</sup> day of October, 2006.

  
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S. MAURICE HICKS, JR.  
UNITED STATES DISTRICT JUDGE